

REMARKS

This application has been reviewed in light of the Office Action dated June 26, 2006. Claims 1-16 are presented for examination. Claims 1-3 and 15, which are the independent claims, have been amended as discussed below. Favorable reconsideration is requested.

Applicant notes with appreciation the indication that Claims 1-16 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 101. Also, Applicant would like to thank the Examiner for reviewing the claim amendments presented herein, which were sent to the Examiner via e-mail on September 19, 2006, and agreeing that they would overcome the rejections under 35 U.S.C. § 101.

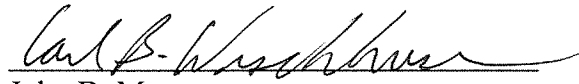
Claims 1-16 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Specifically, the Office Action contends that the claims do not produce a useful, concrete, and tangible result, because they do not require output, display, or storage of the result of the claimed measurements.

Applicant respectfully disagrees with the notion that 35 U.S.C. § 101 requires output, display, or storage of calculated results. Nevertheless, to expedite prosecution, the claims have been amended to specifically recite a storage step.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John D. Murnane", written over a horizontal line.

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